

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

FRANCISCAN ALLIANCE, INC., *et al.*

Plaintiffs,

v.

XAVIER BECERRA, Secretary of Health
and Human Services, *et al.*,

Defendants.

)
)
)
) Case No. 7:16-cv-00108-O
)
)
)
)
)
)
)

NOTICE OF APPEAL

Defendants in the above-captioned case, Xavier Becerra, Secretary of the United States Department of Health and Human Services, and the United States Department of Health and Human Services, hereby give notice that they appeal to the United States Court of Appeals for the Fifth Circuit from all aspects of this Court's Memorandum Opinion and Order, ECF No. 206, as modified by the Court's Order granting Defendants' Rule 60(b) Motion to Modify Order, ECF No. 211, and all prior orders and decisions that merge into those orders.

Dated: November 21, 2021

Respectfully Submitted,

BRIAN M. BOYNTON
Acting Assistant Attorney General

JENNIFER D. RICKETTS
Director, Federal Programs Branch

MICHELLE BENNETT
Assistant Branch Director, Federal Programs
Branch

/s/ Bradley P. Humphreys
BRADLEY P. HUMPHREYS
Trial Attorney
U.S. Department of Justice,

Civil Division, Federal Programs Branch
20 Massachusetts Avenue, N.W
Washington, D.C. 20005
Telephone: (202) 305-0878
E-mail: Bradley.Humphreys@usdoj.gov

Counsel for Defendants